

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA	§	
McCOLLUM, individually, and STEPHANIE	§	
KINGREY, individually and as independent	§	
administrator of the Estate of LARRY GENE	§	
McCOLLUM,	§	
PLAINTIFFS	§	
	§	
v.	§	CIVIL ACTION NO.
	§	4:14-cv-3253
	§	JURY DEMAND
	§	
BRAD LIVINGSTON, JEFF PRINGLE,	§	
RICHARD CLARK, KAREN TATE,	§	
SANDREA SANDERS, ROBERT EASON, the	§	
UNIVERSITY OF TEXAS MEDICAL	§	
BRANCH and the TEXAS DEPARTMENT OF	§	
CRIMINAL JUSTICE.	§	
DEFENDANTS	§	

**PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO  
RESPOND TO UTMB'S MOTION FOR SUMMARY JUDGMENT**

Plaintiffs respectfully request a 45 day extension to file their response to the UTMB's Motion for Summary Judgment.

UTMB filed a motion for summary judgment. *See* Doc. 285. Plaintiffs' deadline to respond is Friday, July 8, 2016. Plaintiffs respectfully seek a 45 day extension, so that the new response date would be Monday, August 22, 2016. Defendants have been granted several extensions of their filing deadlines. Docs. 282, 276, 261.

All Defendants have sought summary judgment in this case, which has numerous factual details and a large body of relevant deposition testimony. Defendant UTMB's motion is fifty pages long, and includes a 478 page appendix. Factual issues overlap between the Defendants, and the TDCJ Defendants' motion—filed the same day—is 132 pages long, with a 1,835 page appendix.

Because of the volume of factual details addressed in the Defendants' motions, and the substantial overlap between the Defendants' actions and omissions, Plaintiffs intend to devote their resources to the larger filing first, which will hopefully result in a more concise record for the Court to review.

Presently, there is no trial date, so an extension will not result in undue delay or prejudice.

This motion is made for the reasons described, and not for the purposes of delay.

### **III. CONCLUSION**

In accordance with the foregoing, Plaintiffs respectfully request that the Court extend Plaintiffs' time to respond to UTMB's Motion for Summary Judgment, Doc. 285, by 45 days, from July 8, 2016 to August 22, 2016.

Dated: July 1, 2016.

Respectfully submitted,

Edwards Law  
The Haehnel Building  
1101 East 11th Street  
Austin, TX 78702  
Tel. 512-623-7727  
Fax. 512-623-7729

By /s/ Jeff Edwards  
JEFF EDWARDS  
State Bar No. 24014406  
Attorney in charge  
Scott Medlock  
State Bar No. 24044783  
David James  
State Bar No. 24092572

Michael Singley  
State Bar No. 00794642  
THE SINGLEY LAW FIRM, PLLC  
4131 Spicewood Springs Rd.

Austin, Texas 78759  
Tel. (512) 334-4302  
Fax. (512) 727-3365

Wallis Nader  
State Bar No. 24092884  
Southern District No. 2609150  
TEXAS CIVIL RIGHTS PROJECT—  
HOUSTON  
2006 Wheeler Ave  
Houston, TX 77004  
Tel. (832) 767-3650  
Fax. (832) 554-9981

Eliot Shavin  
State Bar No. 18138200  
2600 State Street  
Dallas, Texas 75204  
214-522-2010 (telephone)  
214-720-9594 (fax)  
Local Counsel

**ATTORNEYS FOR PLAINTIFFS**

CERTIFICATE OF CONFERENCE

I certify that I corresponded with counsel for UTMB, and Defendant is unopposed to this motion.

By /s/ Scott Medlock  
SCOTT MEDLOCK

CERTIFICATE OF SERVICE

By my signature above, I certify that a true and correct copy of the foregoing has been served on all counsel of record through the Electronic Case Files System of the Southern District of Texas.

By /s/ Jeff Edwards  
JEFF EDWARDS